

***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-19 are pending in the application, with claim 1 being the only independent claim. New claims 13-19 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

***Rejections under 35 U.S.C. § 112***

Claim 10 was rejected under 35 U.S.C. § 112, second paragraph, as failing to set forth the subject matter which Applicants regard as their invention, since claim 10 fails to further limit claim 4, on which it depends. Claim 10 has been amended to depend on claim 8. Accordingly, Applicants respectfully request that the rejection be withdrawn.

***Rejections under 35 U.S.C. § 102***

Claim 1-3 and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by both U.S. Patent No. 4,204,510 to Ritter *et al.* ("Ritter") and U.S. Patent No. 4,239,025 to Konrath *et al.* ("Konrath"). The Examiner states that the Ritter patent as well as the Konrath patent disclose every element of claim 1. Claim 1 has been amended to recite "a limiter for controlling turning of the governor lever within a fixed range so as to control the fuel injection rate to an engine *during start-up of the engine and during increase of*

*rotational speed of the started engine*, wherein a position of the limiter is changed corresponding to changes in temperature." This amendment indicates that the limiter may control fuel injection rate and quantity during and *after start-up* of the engine. This amendment is fully supported by the specification and is not believed to introduce new matter. (See pages 3, and 10-11 of the Specification and Figure 8).

By contrast, the Ritter patent discloses a starting device (31) which allows an increased *starting* quantity of fuel when the engine is cold. Specifically, the starting device (31) rotates a stop member (52) clockwise out of the way of a counter stop (55) when the engine is cold so that a regulating rod (24) can be pushed into a position "S" to supply an increased *starting* volume of fuel. When the engine is warm, however, the stop member (52) remains against counter stop (55) so that at startup the starting quantity of fuel is limited to an operational maximum position "V". (See Figure 1; col. 2, lines 13-17; col. 4, lines 21-40 of the Ritter patent). Accordingly, the starting device (31) of the Ritter patent does not control the fuel injection rate *during increase of rotational speed of a started engine*, as claimed. Therefore, Applicants respectfully request that the rejection be withdrawn.

Likewise, the Konrath patent is directed to regulating fuel injection quantity at engine start-up only, but not *during increase of rotational speed of a started engine*, as claimed. Specifically, the Konrath patent discloses a disc (46) that serves as a stop (46) for a projection (50). (See Figure 1 of the Konrath patent). The disc (46) rotates so as to regulate the injected *starting* quantity in accordance with temperature. After the engine starts, projection 50 is lifted from stop 49 when a *starting switch-off rpm* is attained, thereby reducing the excess fuel quantity to a normal full-load quantity as illustrated in Figure 3 of the Konrath patent. (See also col. 3, lines 56-68; col. 4, lines 34-42 of the

Konrath patent). By contrast, Figure 8 of the application illustrates control of fuel injection volume during start-up and during increase of engine speed to 100% of the rated engine speed. Accordingly, disc (46) of the Konrath patent does not control the fuel injection rate to during increase of rotational speed of a *started engine*, as claimed. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claims 1-4, 8 and 10 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,460,132 to Ishiwata *et al.* ("Ishiwata"). Applicants respectfully traverse the Examiner's rejection. The Examiner states that the Ishiwata patent discloses every element of claim 1, including a limiter for controlling turning of the governor lever. However, the fuel control device of the Ishiwata patent involves a limiter device (151) that restricts the rotation of a control part (6) *directly and independently of* a governor lever (cam 142). (See Figs. 8 and 10; col. 10, lines 24-31, lines 35-42 of the Ishiwata patent). Therefore, the Ishiwata patent does not teach a limiter for controlling *turning of the governor lever* so as to control the fuel injection rate to an engine, as claimed. Accordingly, Applicants respectfully request that the rejection be withdrawn.

***Rejections under 35 U.S.C. § 103***

Claims 4-7 and 9-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,204,510 to Ritter *et al.* in view of U.S. Patent No. 4,449,499 to Ito ("Ito"). Claims 4-7 and 9-12 depend indirectly from claim 1 and add features to claim 1. As noted above, Ritter does not disclose a limiter for controlling turning of a governor lever so as to control the fuel injection rate to an engine during increase of rotational speed of a started engine. Ito also does not disclose this feature. Accordingly, claims 4-

7 and 9-12 are patentable for at least the same reasons as discussed above with respect to claim 1.

***Amendments to the Specification***

The amendment to the specification corrects an error of a typographical nature. No new matter has been added by the amendment.

***Conclusion***

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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